

Group XII: Claim 45 in part, 46 in part, drawn to method of cancer diagnosis.

The Examiner contends that the inventions of Groups I-XII are distinct, each from the other. In order to be fully responsive to the Examiner's requirement for a restriction of the instant application, Applicants hereby provisionally elect to prosecute Group I, claims 24-28, drawn to antibody to wild-type TSG101, with traverse.

With respect to the restriction of the application into groups I-XII, Applicants respectfully traverse the restriction requirement. Applicants respectfully request that the restriction requirement be revised to place Groups I-VIII together. Applicants submit that substantially the same search would be required to search the compositions of Groups I-VIII, and thus, the combined search and examination of Groups I-VIII would not be a serious burden on the Examiner. The M.P.E.P. § 803 (Eighth Edition, August 2001) states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Accordingly, Applicants respectfully request that the Restriction Requirement be revised and that the claims of Group I-VIII, *i.e.*, claims 24-44, be examined in one application.

Applicant retains the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

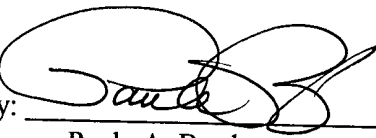
Applicants respectfully request that the present remarks be entered and be made of record in the instant application. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

II. CONCLUSION

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number STAN-010CON.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: Mar. 20, 2003

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